

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THEODORE B EDENSTROM,

Plaintiff,

v.

UNITED STATES COAST GUARD,

Defendant.

CASE NO. C17-5658RBL

ORDER DENYING MOTION FOR
LEAVE TO PROCEED IN FORMA
PAUPERIS

THIS MATTER is before the Court on Plaintiff Edenstrom's Motion for Leave to Proceed in forma pauperis, supported by his proposed complaint. [Dkt. #1] THIS MATTER is before the Court on Plaintiffs Motion for Leave to Proceed *in forma pauperis* [Dkt. #2].

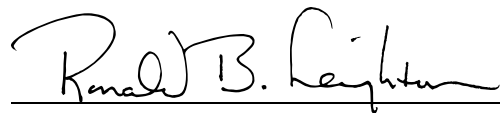
A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripathi v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369

1 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*
2 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
3 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
4 1984).

5 Edenstrom has met this standard. The Motion to Proceed in forma pauperis [Dkt. #1] is
6 GRANTED.

7 IT IS SO ORDERED.

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9 Dated this 14th day of December, 2017.

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12 Ronald B. Leighton
13 United States District Judge
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